

November 6, 2000

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

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**REPORT AND DECISION ON APPEAL OF NOTICE AND ORDER**

SUBJECT: Department of Development and Environmental Services File No. **E9900061K**

**CHAN'S PLACE RESTAURANT**

Code Enforcement Appeal

Location of Violation: 4560 (aka 4592) Klahanie Drive Southeast

Appellant: Chan's Place Restaurant,  
*represented by* **Patrick Schneider**, Attorney at Law  
Stoel Rives LLP  
600 University Street, Suite 3600  
Seattle, WA 98101-3197  
Telephone: (206) 624-0900

King County: Department of Development and Environmental Services  
Building Services Division, Code Enforcement Section  
*represented by* **John Briggs**  
King County Prosecuting Attorney, Civil Division  
King County Courthouse  
516 – 3<sup>rd</sup> Avenue  
Seattle, WA 98101  
Telephone: (206) 205-5064 Facsimile: (206) 296-0191

**SUMMARY OF RECOMMENDATIONS:**

Department's Preliminary Recommendation:	Deny the appeal
Department's Final Recommendation:	Deny the appeal
Examiner's Decision:	Grant in part, deny in part

**EXAMINER PROCEEDINGS:**

Hearing Opened:	October 26, 2000
Hearing Closed:	October 26, 2000

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

#### ISSUES/TOPICS ADDRESSED:

- Commercial signs—height, location and text
- Hearing Examiner jurisdiction
- Freedom of speech
- Substantive due process

#### SUMMARY:

The appeal is granted with respect to frontage sign height, and a condition is imposed that authorizes a procedure whereby the monument sign may remain in its present location. The appeal is denied in all other respects.

**FINDINGS, CONCLUSIONS & DECISION:** Having reviewed the record in this matter, the Examiner now makes and enters the following:

#### FINDINGS:

1. On July 25, 2000, a supplemental notice and order was issued to Hogate/Klahanie LLC, Claremont Development Company and Chan's Place Restaurant citing the Chan's Place commercial leasehold for the unlawful placement of signage on the front, side and rear walls of the building and for location of a monument sign on Klahanie Drive. The allegation is that these signs violate the rezone conditions applicable to the property adopted by the King County Council under authority of Ordinance No. 10996.
2. The supplemental notice and order supersedes an original notice and order issued on February 16, 2000 and differs from the earlier document primarily in that it seeks to modify Building Permit No. B99A1196. The supplemental notice and order asserts that "permit B99A1196 was issued in error insofar as it authorized a façade sign with prohibited graphics, allowed installation of neon tubing on the side and rear of the building, and allowed the construction of a monument sign in violation of the rezone conditions set forth above." As such it seeks to limit the previously issued permit in the manner authorized by KCC 23.24.100. In addition, it provides more information regarding the nature of the rezone condition violations that are alleged to exist on the Chan's Place premises.
3. Anthony Chan has appealed the supplemental notice and order. His initial appeal statement points out that a building permit for the signs was issued by King County DDES. An amended appeal statement filed by Mr. Chan's attorney on September 8, 2000 expands the issues on appeal to include Constitutional and equitable defenses as well as questions of code interpretation.

4. Under authority of Ordinance No. 10996 the King County Council adopted a rezone recommendation dated July 28, 1993 imposing strict on-site signage conditions on business tenants within the Klahanie Commercial Center. As stated by the rezone decision, the purpose of these signage limitations is to rationalize placement of an urban shopping center along the Urban Growth boundary adjacent to rural properties to the south. The rezone conditions seek to limit the visual impacts of Klahanie Commercial Center signs on nearby residential properties by controlling their size, height and location.
5. As argued in the Appellant's amended notice of appeal, the DDES supplemental notice and order generally fails to specify in each instance how the commercial signs cited are alleged to be in violation of the rezone conditions. While discussions between DDES and the Appellant resulted in further refinement of the issues, at the outset of the hearing considerable time was spent clarifying and defining the issues to reflect the current state of understanding of all participants. In summary, the issues on appeal are as follows:
  - A. With respect to the signs on the front of the building, whether they exceed the 10-foot height limitation stated in Rezone Condition No. 28, and whether the text of the sign violates Condition No. 32 in being not limited to the business name and insignia or logo. DDES has stipulated that the words "Chan's Place" and "Cuisine of China" are not violative of the condition, but contends that the words "Cocktail Lounge" are out of compliance and must be removed. DDES also agrees that the blue neon tubing along the crest of the front roof gable was not cited within the supplemental notice and order, nor was the illuminated "Open" sign in the front window.
  - B. The only issue regarding the sign located on the west side of the building is whether it violates the 10-foot height limit stated in Condition No. 28.
  - C. The legality of the red and blue strips of neon tubing located at the top of the western side wall and running along the northern back wall are also at issue. The allegations with respect to this tubing are that it exceeds the 10-foot sign height limitation contained in Condition No. 28, it constitutes a building "designed or lighted in a way that makes it function as a sign" as also prohibited by Condition No. 28, and that it violates the sign text limitation stated in Condition No. 32. In addition, the tubing along the north wall is alleged to violate Condition No. 30, which allows only directional signs on the rear of the buildings and prohibits exterior lighting and signage on the back of the Pad B building.

The Appellant concedes that Chan's Place occupies the Pad B building and no longer contests that portion of the supplemental notice and order requiring removal of the neon tubing on the north side of the building.
  - D. Whether the center identification monument sign constructed by Chan's Place has been sited at a prohibited location as such as defined by Condition No. 25. Two center identification signs were constructed by QFC prior placement of to the Chan's Place monument sign, and Condition No. 25 states that "a third identification sign...is permitted at the north service entry if the third entry into the center is approved by the Department of Public Works."

6. According to the testimony of Phil Davidson of Claremont Development Company, the Klahanie Commercial Center property management firm, he attended a meeting at the DDES offices in Renton on March 24, 1999 at which time signage for the Chan's Place restaurant was discussed. Also in attendance at this meeting were Mr. and Mrs. Chan; a representative of the sign contractor, Neon Signs Systems; and Kenneth Dinsmore, the DDES Permit Intake and Screening Supervisor. Mr. Davidson testified that the need to comply with the rezone conditions was discussed at the meeting, with Mr. Dinsmore placing particular emphasis on the 10-foot height limitation. Mr. Davidson also stated that compliance with the rezone conditions was a requirement of the lease negotiated with the Chans, and that during the lease negotiations a copy of the rezone conditions had been provided to the Chans' attorney. On March 29, 1999, a sign permit was issued to Neon Sign Systems for the Chan's Place Restaurant.

7. The frontage signing for the Chan's Place Restaurant faces north toward the interior of the Klahanie Commercial Center parking lot. It does not appear to be significantly visible from off-site residential properties, although the condominiums west of Klahanie Drive might be able to see it at an angle over a distance of some 400 feet. The central part of the sign contains the words "Chan's Place" in red letters approximately 2 feet high and is flanked on either side at approximately the same level by signage that reads "Cuisine of China" and "Cocktail Lounge". These signs are mounted on a horizontal bracket that extends the length of the building frontage at a height of approximately 10 feet. As measured by the DDES representative, the central "Chan's Place" lettering reaches a maximum height of 10'10". The highest point of the sign is an apostrophe between the "n" and the "s" that extends perhaps 4 inches above the adjoining letters. It appears, then, that approximately the top 6 inches of the central sign lettering extends more than 10 feet above finished grade, with the apostrophe extending a further 4 inches above that.

The plans submitted with the Chan's Place sign permit application differ slightly from the sign as constructed. The plans show the central part of the sign being slightly arched, while in reality the sign was constructed on an entirely horizontal level. But the top of the sign arch within the plan scales at approximately 10'10".

8. The signage on the west side of the building consists of the words "Chan's Place" in red letters about 12 inches high, with the words "Cuisine of China" located just below. As measured by the DDES representative, the top of the sign is 12 feet high. As pointed out by the Appellant's attorney, however, the building site slopes downward toward the north, and the west side signage may not be higher in terms of absolute elevation than the signage in the front. No measurements were offered for the height of the neon tubing running along the top of the wall, but from the photographs submitted its height appears to be about 20 feet.

This westerly signage was directly visible from the condominiums located off-site to the west at the time the sign was originally constructed. More recently, however, a Texaco service station has been built west of the Chan's restaurant building, and the view of the Chan's sign from the condominiums further west is now partially blocked.

9. The center identification monument sign built by Chan's Place lies on the north side of the southernmost entrance driveway to the Klahanie Commercial Center. The shopping center's

anchor tenant, the QFC food market, had previously constructed 2 center monument signs along

Klahanie Drive featuring its logo, one near the southwest corner of the property approximately 150 feet north of the Issaquah-Fall City Road and a second on the north side of the middle entrance driveway. The northern entrance driveway presently has no center identification monument signage. As noted by the Appellant, the southern driveway provides the closest access to Chan's Place. The northern driveway lies 500 feet further north and channels vehicles into secondary parking lots from which Chan's Place is not readily visible.

10. The sign permit issued for Chan's Place shows the center identification monument sign located adjacent to the northern driveway. The decision to relocate this sign to the southern driveway entrance was made by Chan's Place in consultation with Claremont Development, but no plan revision was submitted to DDES for County approval. The Appellant argues that the new location simply made good sense because it was closer to the Chan's Place business and more visible to Klahanie Commercial Center traffic, yet had perhaps less visual impact on off-site residential properties. The allegation of less visual impact is based on the fact that a large drainage facility is located northwest of the Issaquah-Fall City Road/Klahanie Drive intersection close to the monument sign location.
11. The Appellant's sign permit drawings identify the Chan's Place monument sign as a "center identification display", and the sign appears to meet all requirements stated in Condition No. 25 for a third center identification sign except location. Rezone Condition No. 29 also provides for placement of monument signs along Klahanie Drive for "freestanding single-user buildings." For such buildings collectively, Condition No. 29 allows a maximum of 3 building monument signs to be constructed, each 6 feet in height and not more than 12 square feet per sign face. These single-user building monument signs are allowed to have the same sign area as the 2 QFC center monument signs, but are subject to the height limit placed on the third center identification sign. A further limitation on the single-user building signs is that they only may be located within 12 feet of a building wall. This means that such signs are required to be set back further from Klahanie Drive than the existing center identification signs.
12. Under Condition Nos. 25 and 29 combined, therefore, the rezone conditions provide for a total of 6 monument signs to be placed by Klahanie Commercial Center tenants along Klahanie Drive. As the project has developed, however, there at present are no freestanding single-user buildings within the Commercial Center, and therefore only the 3 center monument signs are currently in existence. While there are 3 buildings of appropriate size for single-user occupancy, all presently have multiple tenants. The largest of these 3 buildings is Pad B where Chan's Place is located, but the restaurant shares the building with a daycare center.
13. According to Mr. Davidson, in terms of gross floor area Chan's Place is the fourth largest tenant of the Commercial Center. QFC, as the anchor tenant, is by far the largest with 40,000 square feet of floor area. Second in size is a gymnasium, the Fitness Center, at 6,100 square feet, followed by Blockbuster Video at 5,000 square feet and Chan's Place at 4,500 square feet. Mr. Davidson said that he, in fact, regards Chan's Place to be the second most important tenant of the Commercial Center due to other factors. According to him, Chan's Place should be regarded as second only to QFC based on business volume, ability to draw customers, and the quality of

CONCLUSIONS:

1. There is an important initial question of Hearing Examiner jurisdiction that underlies review of the issues raised within this appeal. The Appellant in his amended statement of appeal has raised both Constitutional and equitable doctrines as a defense to the supplemental notice and order. Since Hearing Examiners only possess those powers that have been assigned to them by statute or ordinance, the question arises as to whether this forum possess the jurisdictional authority necessary to entertain the Appellant's arguments. Both parties have briefed these issues, with the attorney for DDES arguing that the Examiner lacks the jurisdictional authority to entertain any Constitutional or equitable issues.
2. We agree that this restricted view of Hearing Examiner jurisdiction must prevail when it comes to dealing with facial challenges to the validity of an ordinance or regulation, but where the application of an ordinance or regulation is unclear and the legislative enactment requires interpretation, our view has consistently been that the Hearing Examiner is empowered (and probably required) to provide interpretations of relevant ordinances and regulations in a manner that avoids violating Constitutional principles.
3. Further, the recently enacted provisions of KCC Title 23 confer a measure of authority to recognize relevant Constitutional principles and equitable doctrines in the review of alleged code enforcement violations. In the Title's purpose section, KCC 23.01.010.B first relates the County's intention to pursue code compliance in order to protect the health, safety and welfare of the general public, but then states that "this County intention is to be pursued in a way that is consistent with adherence to and respectful of fundamental Constitutional principles."

Moreover, the need for a flexible regulatory response based on considerations of justice has also been recognized within Title 23. For example, under certain conditions a property owner, even though in technical violation of a code requirement, is to be held responsible "only for bringing the property into compliance to the extent reasonably feasible under the circumstances" (KCC 23.02.130.B). On a similar note, KCC 23.02.040.H confers upon County administrators the authority to waive code requirements "so as to avoid substantial injustice." Comparable latitude is conferred upon the Hearing Examiner within an administrative appeal where "strict compliance with permit requirements may be waived regarding the performance of...an abatement in order to avoid doing substantial injustice to a non-culpable property owner" (KCC 23.36.030.B).

4. Applying these code provisions to the specific context of this appeal, it is our view that the Hearing Examiner has been provided with sufficient authority to recognize Constitutional claims in the application of County regulations in code enforcement proceedings, but has not been provided jurisdiction to rule upon a claim of equitable estoppel. While the duty to adhere to fundamental Constitutional principles is specifically recognized at KCC 23.01.010.B, no similar authority can be cited in support of jurisdiction to recognize an equitable estoppel claim. The portions of Title 23 previously cited dealing with avoidance of substantial injustice introduce

equitable considerations into the review process but only apply where the property owner either has obtained no apparent benefit from the code violation or is non-culpable due to the fact that

the violation was caused by the actions of a non-agent third party. Neither of these circumstances apply to this appeal. Moreover, the issue of jurisdiction to rule on an equitable estoppel claim must be evaluated in the context of KCC 23.24.100.A.3, which authorizes a permit to be revoked or modified on the grounds that it was issued in error. The existence of this provision negates the argument that Title 23 creates a defense based on an appellant's reliance on staff misinformation or erroneous permit approval.

5. The Constitutional claim relating to the sign height violations alleged in the supplemental notice and order involves primarily the doctrine of substantive due process. This doctrine subjects the operation of regulations to review for reasonableness. The Washington Supreme Court has set out a three-pronged test for determining whether a substantive due process violation has occurred: "(1) whether the regulation is aimed at achieving a legitimate public purpose; (2) whether it uses means that are necessary to achieve that purpose; and (3) whether it is unduly oppressive on the landowner". *Presbytery of Seattle vs. King County*, 114 Wn. 2<sup>nd</sup> 320 @ 330 (1990). Assuming that controlling commercial impacts on nearby residential properties is a legitimate public purpose and that a height limitation on signs is a reasonably necessary instrument to achieve such public purpose, the essential question becomes whether the regulatory imposition is, under the specific circumstances, unduly oppressive.
6. We conclude that the height limitation as applied to the Chan's Place frontage sign is unduly oppressive because the quantitative amount of height violation is minimal, and this minimal violation has no demonstrable adverse visual impacts on off-site residential properties. The sign faces north into the center of the commercial complex and is visible, if at all, only at an oblique angle from the condominiums west of Klahanie Drive that must look past closer commercial properties to catch a glimpse of the frontage sign for Chan's Place. In this context, the expense of lowering the sign a few inches would serve no public benefit; therefore the cost of such sign relocation must be regarded as unduly oppressive on the Appellant.
7. A different outcome is required with respect to the sign on the west side of the Appellant's building. Here, the height discrepancy is two feet, and the illuminated sign faces directly west toward residential properties. Therefore, its degree of visibility is much greater, and the height difference cannot be presumed to be inconsequential. The application of the rezone condition under such circumstances is supported by the legitimate public purpose of avoiding off-site visual impacts and employs a means that is reasonably necessary to achieve that purpose.
8. The Constitutional free speech issues raised by the Appellant relate to the portions of the supplemental notice and order that would require removal of the "Cocktail Lounge" signage from the front of the Chan's Place building and the relocation of the center monument sign from the south to the north access driveway. Here also we reach differing conclusions as to the specific citations. Rezone Condition No. 32 requires that the "sign text of permanent signs shall be limited to the business name and insignia or logo." There is no argument to be made that the words "Cocktail Lounge" qualify as a business name or logo. Limiting the visibility of signage to off-site properties is a substantial governmental interest, and we agree with DDES that

limiting the quantity of illuminated signage directly advances this interest. Condition No. 32 is not a

content regulation because it applies generally without discrimination to all signage that is neither a business name nor a logo. We also agree that enforcement of this condition passes the substantive due process test because it seeks to reduce the absolute quantity of illuminated commercial signage and does not merely impose an imperceptible height reduction.

9. We turn now to the relocation of the center identification sign for Chan's Place. While clearly a time, place and manner regulation, Condition No. 25 needs to be interpreted so that it serves the significant governmental interest asserted and is no more extensive than necessary to achieve that interest. The problem with the rezone regulatory scheme, as interpreted by DDES, is that it contains elements unnecessary to accomplish its legitimate purpose. The rezone conditions as a whole will allow up to 6 monument signs along Klahanie Drive, with no prohibition on placing a center identification sign at the southern driveway entrance as Chan's Place has done. Further, there is no evidence that moving the sign to the northern access would have fewer off-site visual impacts than leaving it where it is. Moreover, the northern driveway location is an illogical placement for the Chan's Place sign in that it represents the furthest access point from the restaurant and directs traffic into a rear parking lot that does not serve the restaurant. It is therefore clear that enforcing Condition No. 25 under these facts in the manner proposed does not advance the legitimate governmental interest in reducing off-site visual impacts, causes harm to the Appellant, and over-regulates commercial tenant speech in a manner that serves no useful purpose.
10. Because rezone conditions are not rules of general applicability, we believe that the Examiner has some latitude to interpret them so that the Council's overall site-specific objectives are achieved. See KCC 20.24.080.B. Our view is that the essential purposes of the rezone conditions are met by the size, height and quantity restrictions on monument signs, and that the location requirement for the third center identification sign is superfluous so long as no more than one center identification sign is located at any access driveway.
11. Even so, we do not believe that we can ignore the fact that the monument sign as constructed violates the sign permit issued to Chan's Place in the form requested within its application to DDES. The Chan's Place proposal was to construct a monument sign at the northern driveway entrance. While we believe that a center identification sign at the southern driveway location currently occupied by Chan's Place can be approved under the rezone conditions, approval of this location needs to be obtained from DDES pursuant to a valid permit application. It is not acceptable for the Appellant to unilaterally relocate the center monument sign without DDES notification and review. Accordingly, the decision will allow the center identification monument sign to remain in its current location, but only if a new or amended sign permit application is submitted to legitimize its placement.
12. The final signage issue subject to review under the supplemental notice and order concerns the illuminated neon tubing along the top of the western side wall of the Chan's Place Restaurant. This neon tubing has been cited under Condition No. 28 as being above 10 feet finished grade



and under the provision requiring that “no building shall be designed or lighted in a way that makes it function as a sign.” In addition, it has been cited under Condition No. 32, requiring sign text to be limited to business name and insignia or logo.

13. While we agree with the Appellant that the “building-functioning-as-sign” language probably does not apply to this factual situation, it is clear that the neon tubing is well above 10 feet in height, is visible off-site and does not constitute commercial speech. Accordingly, this notice and order citation raises no free speech issues and does not violate substantive due process. Moreover, the neon tubing is clearly a sign within the meaning of KCC 21A.06.108.5 because it is a “device, structure, fixture or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols or written copy for the purpose of advertising or identifying [an] establishment”. The tubing, therefore, must be removed, based on the height restriction contained in Condition No. 28 and the textual limits stated in Condition No. 32.
14. The Appellant has failed to sustain his burden of proof to demonstrate the non-occurrence of the violations cited in the supplemental notice and order, but his Constitutional defenses against strict construction of the rezone conditions are found to be meritorious with regard to frontage sign height and, subject to a remedial condition precedent, monument sign location. The terms of Building Permit No. B99A1196 are also modified consistent with these findings and conclusions.

#### DECISION:

The appeal is GRANTED in part and DENIED in part.

#### ORDER:

No penalties shall be incurred if the Appellant performs the following actions within 60 days of the date of this order:

1. Removes the words “Cocktail Lounge” from the building frontage sign.
2. Removes the sign located on the western side wall of the Chan's Place building, or modifies it so that all parts of the sign display are no higher than 10 feet above finished grade or the building façade (wall), whichever is less.
3. Removes the neon tubing located at the top of the western and northern walls.
4. Removes the center identification monument sign from the southern driveway and relocates it to the northern driveway as authorized by sign Permit No. B99A1196, or submits a permit application to DDES to legalize the monument sign's placement at its current location.

ORDERED this 6<sup>th</sup> day of November, 2000.

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Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 6<sup>th</sup> day of November, 2000, by certified mailing to the following party:

Anthony Chan  
Chan's Place Restaurants  
12041 – 124<sup>th</sup> Avenue NE  
Kirkland, WA 98034

TRANSMITTED this 6<sup>th</sup> day of November, 2000, to the following parties and interested persons:

Parks & Ginger Anderson  
4617 - 252nd Avenue SE  
Issaquah WA 98027

Anthony Chan  
Chan's Place Restaurants  
12041 - 124th Avenue NE  
Kirkland WA 98034

Anthony Chan  
Chan's Place Restaurant  
4592 Klahanie Drive SE  
Issaquah WA 98029

Phil Davidson  
Claremont Development Company  
515 - 116th Avenue NE #108  
Bellevue WA 98004

Alan Ferin  
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MS OAK-DE-0100

John Briggs  
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Civil Division  
MS KCC-PA-0550

Roger Bruckshen  
DDES/BSD  
Code Enforcement Section  
MS OAK-DE-0100

Elizabeth Deraitus  
DDES/BSD  
Code Enforcement Section  
MS OAK-DE-0100

Pursuant to Chapter 20.24, King County Code, the King County Council has directed that the Examiner make the final decision on behalf of the County regarding code enforcement appeals. The Examiner's decision shall be final and conclusive unless proceedings for review of the decision are properly commenced in Superior Court within twenty-one (21) days of issuance of the Examiner's decision. (The Land Use Petition Act defines the date on which a land use decision is issued by the Hearing Examiner as three days after a written decision is mailed.)

MINUTES OF THE OCTOBER 26, 2000 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E9900061K – CHAN'S PLACE RESTAURANT.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing were Jeri Breazeal, John Briggs, Anthony Chan, Phil Davidson, and Patrick Schneider.

The following exhibits were offered and entered into the record:

Exhibit No. 1 DDES staff report to the Hearing Examiner, dated October 26, 2000  
Exhibit No. 2 Notice & Order, issued February 16, 2000

**E9900061K-Chan's Place****11**

- Exhibit No. 3A Letter, dated March 7, 2000, from Anthony Chan to Elizabeth Deraitus
- Exhibit No. 3B Construction Permit for sign installation, issued March 29, 1999, with attached drawings of sign
- Exhibit No. 4 Reissued Notice & Order, dated July 25, 2000
- Exhibit No. 5 Amended Notice of Appeal, dated September 8, 2000
- Exhibit No. 6 Letter, dated November 3, 1999, from DDES Code Enforcement Section, to Chan's Place
- Exhibit No. 7A Construction Permit for sign installation, issued March 29, 1999, with attached Certification of Transfer of Applicant Status and cost work sheets
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- Exhibit No. 7B Neon Sign Systems' drawings for proposed signage
- Exhibit No. 8 Examiner's Pre-Hearing Order, dated July 14, 2000  
re: DDES File No. E9900061K/Chan's Place Restaurant
- Exhibit No. 9 A-Color copy of photograph—restaurant front sign  
B-Color copy of photograph—restaurant neon side signs  
C-Color copy of photograph—restaurant monument sign  
D-Color copy of photograph—QFC monument sign
- Exhibit No. 10 Examiner's Report and Recommendation, dated July 28, 1993  
re: LUSD File No. 111-89-R/Klahanie Commercial Center
- Exhibit No. 11 Site Plan, Klahanie Village, dated January 16, 1998, with color markings  
indicating sign locations
- Exhibit No. 12 Photograph of restaurant monument sign showing street behind
- Exhibit No. 13 Spreadsheet showing breakdown of interior design costs, dated October 4, 1999
- Exhibit No. 14 A-Color copy of photograph—close-up of restaurant front sign in semi-dark, neon view  
B-Color copy of photograph—restaurant side sign in semi-dark, neon view  
C-Color copy of photograph—restaurant side sign in semi-dark, neon view/different angle  
D-Color copy of photograph—distance view of restaurant front sign in semi-dark, neon view
- Exhibit No. 15 Excerpt from Chan's Place lease agreement re: exterior displays,  
illumination of window displays, monument sign contingency, alteration consent,  
and neon border displays